HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

SINGLE BENCH: HON'BLE SHRI S.R. NAYAK, CJ.

WRIT PETITION NO. 5920 OF 2005

PETITIONER Vijay Kumar Khare,
S/o C.L. Khare,
Aged about 35 years,
R/o Seepat, Naveen Chowk,
Bilaspur (C.G.)

Vs.

RESPONDENTS

1. State Transport Appellate Tribunal, Raipur (C.G.)
2. Regional Transport Authority, Bilaspur (C.G.)
3. Secretary, R.T.A. Bilaspur (C.G.)
4. Sanjay Kumar Yadav, Bus Operator, Bus Stand, Bilaspur (C.G.)

Present: Mr. B.K. Rawat , learned counsel for the petitioner.
Mr. Yashwant Singh, learned G.A., for the State of C.G.

ORAL ORDER
(Passed on 12th January, 2006)

The petitioner is holding a regular permit on the route Bilaspur to Champa. In this writ petition, he has sought for *mandamus* directing respondents 2 and 3 not to grant any temporary permit in the route Bilaspur to Champa to the fourth respondent and to quash the order granting temporary permit on the route Bilaspur to Champa granted in favour of the fourth respondent. There is no controversy between the parties that without formation of the route, it is not permissible for the respondents 2 and 3 to grant temporary permit on the route in question. However, quashing of the grant made in favour

of the fourth respondent would not arise, because, the term of the temporary permit spent itself on 30/11/2005. However, respondents 2 and 3 are not expected to grant temporary permit without formation of the route and since there is controversy between the parties as to whether the formation of the route is done or not, I think that ends of justice would be met by directing the respondents 2 and 3 not to grant temporary permit without formation of the route. I direct accordingly. There shall be no order as to costs.

Sd/-
Chief Justice